

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RICHARD CATRAMBONE)
Plaintiff,) Case No. 08-cv-1655
v.)
THOMAS ADAMS,) Judge Wayne R. Andersen
Defendant.)
) Magistrate Judge Geraldine Soat Brown
) Hearing Date: July 31, 2008
) Hearing Time: 9:00 a.m.

MOTION FOR LEAVE TO WITHDRAW AS ATTORNEYS OF RECORD

NOW COMES Ariel Weissberg, Rakesh Khanna and the law firm of Weissberg and Associates, Ltd. ("W&A"), the attorneys of record for Plaintiff, Richard Catrambone ("Catrambone"), and move the court for leave to withdraw their Appearances filed on behalf of Catrambone. In support of their Motion, W&A state as follows:

1. On March 20, 2008, Catrambone filed his Complaint against Thomas Adams to initiate the instant action.
2. On March 26, 2008, Ariel Weissberg and Rakesh Khanna filed their Appearances on behalf of Catrambone in this matter, pursuant to LR83.16.
3. W&A seeks leave to withdraw as counsel for Catrambone. LR 83.17 requires an attorney to seek leave of court before withdrawing in an action. Rule 1.16 of the Illinois Rules of Professional Conduct permits an attorney to withdraw if, among other things: (a) the client's "conduct renders it unreasonably difficult for the lawyer to carry out the employment effectively" (see IRPC 1.16(b)(1)(D)); or (b) the client "substantially fails to fulfill an agreement or obligation to the lawyer as to expenses or fees" (see IRPC 1.16(b)(1)(F)). Differences have arisen between W&A and the Catrambone which make it unreasonably difficult for W&A to carry out its representation

of Catrambone. Accordingly, there is sufficient good cause to allow W&A to withdraw from this matter.

4. W&A certifies that true and correct copies of this Motion and the Notice of Motion were served by United States First Class Mail, Return Receipt Requested upon Catrambone at 10756 Wentworth Drive, Naperville, IL 60564.

5. W&A has given notice of this Motion to For Leave to Withdraw to all parties of record and to Catrambone at his last known address. LR83.17 provides in relevant part that an "attorney of record may not withdraw ... without first obtaining leave of court ..." Id.

6. This Motion advises Catrambone that he must file a supplemental appearance with the Clerk of the United States District Court for the Northern District of Illinois, Eastern Division or retain new counsel within 21 days after the entry of the Order allowing the withdrawal of W&A from this case. Any such supplementary appearances must state an address at which service of notices or other papers may be received.

7. This motion is not brought to prejudice any party and no party shall be prejudiced by this motion as no trial date has been set.

8. W&A will serve a copy of the Order granting it leave to withdraw (the "Order") upon Catrambone within three days of the date the Order is entered.

WHEREFORE, Ariel Weissberg, Rakesh Khanna and Weissberg and Associates, Ltd. request that this Court grant them leave to withdraw as attorneys of record for Plaintiff, Richard Catrambone; and for such other relief as this court deems just and proper.

WEISSBERG AND ASSOCIATES, LTD.

By: /s/ Ariel Weissberg
One of its attorneys

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